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 Oracle International Corp.*

UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

RIMINI STREET, INC., a Nevada corporation,  
 Plaintiff,

v.

ORACLE AMERICA, INC., a Delaware  
 corporation; and ORACLE INTERNATIONAL  
 CORPORATION, a California corporation,  
 Defendants.

ORACLE AMERICA, INC., a Delaware  
 corporation; and ORACLE INTERNATIONAL  
 CORPORATION, a California corporation,  
 Counterclaimants,

v.

RIMINI STREET, INC., a Nevada corporation;  
 SETH RAVIN, an individual,  
 Counterdefendants.

Case No. 2:14-cv-01699 LRH CWH

**DECLARATION OF CHRISTIAN B.  
 HICKS**

**SUPPORTING ORACLE'S MOTION  
 FOR PARTIAL SUMMARY  
 JUDGMENT REGARDING CROSS-  
 USE AND DERIVATIVE WORKS**

Judge: Hon. Larry R. Hicks

**REDACTED**

1 I, Christian B. Hicks, declare as follows.

2 1. I have been retained as an expert witness in this matter by Defendant and  
3 Counterclaimant Oracle International Corp. (“Oracle”). I submit this Declaration to support  
4 Oracle’s Motion for Partial Summary Judgment Regarding Cross-Use and Derivative Works. I  
5 have personal knowledge of the facts set forth in this declaration, and could testify competently to  
6 them if asked to do so.

7 2. From 1997 to 2015, I was a Co-Founder and President of Elysium Digital, a  
8 technical litigation consulting company located in Boston, Massachusetts that specialized in  
9 providing computer science and electrical engineering expertise in legal disputes involving  
10 intellectual property, computer forensics, and other high-tech subject matter. In 2015, Elysium  
11 Digital was acquired by Stroz Friedberg, where I served as a Managing Director until 2017. As of  
12 September 2017, I am a contract expert with Stroz Friedberg.

13 3. Since co-founding Elysium in 1997, I have worked on more than 200 technical  
14 matters, including more than 40 forensic matters. I have been qualified as an expert in federal  
15 court. I have submitted numerous expert reports and affidavits in other matters and have also  
16 been deposed on multiple occasions. I have worked on matters related to telecommunications, to  
17 computer networking, and to computer security.

18 4. In this matter, with support from my colleagues at Stroz Friedberg, I have  
19 reviewed computer-based evidence, including Rimini’s Automation Framework (“AFW”)  
20 system, how it works, how it has been used by Rimini, and how it is used in conjunction with  
21 other Rimini development tools.

22 5. On May 4, 2018, I signed my “Expert Report of Christian B. Hicks,” which I  
23 understand was submitted to Rimini Street, Inc. (“Rimini”) as part of discovery in this action. On  
24 June 8, 2018, I signed my “Supplemental Expert Report of Christian B. Hicks,” which I also  
25 understand was submitted to Rimini as part of discovery in this action.

26 6. In paragraph 6.1.1 of both my May 4th and June 8th reports, I provided the  
27 following opinion: [REDACTED]  
28 [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 7. In paragraph 6.1.2 of both my May 4th and June 8th reports, I provided the  
4 following opinion: [REDACTED]  
5 [REDACTED]  
6 [REDACTED]

7 8. In paragraph 6.1.3 of both my May 4th and June 8th reports, I provided the  
8 following opinion: [REDACTED]  
9 [REDACTED]  
10 [REDACTED]

11 9. In paragraph 7.7.1 of both my May 4th and June 8th reports, I provided the  
12 following opinion: [REDACTED]  
13 [REDACTED]

14 10. For purposes of this Declaration, I hereby adopt and swear to these opinions set  
15 forth in my March 4th and June 8th reports.

16 11. Attached as Exhibit 41 to the Appendix of Exhibits Supporting Oracle's Motion  
17 for Partial Summary Judgment Regarding Cross-Use and Derivative Works ("Appendix") is a  
18 true and correct copy of [REDACTED], an exhibit to my May 4th and June 8th reports,  
19 which shows [REDACTED]

20 12. Attached as Exhibit 42 to the Appendix is a true and correct copy of [REDACTED]  
21 [REDACTED] an exhibit to my May 4th and June 8th reports, which [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]

28 I declare under penalty of perjury under the laws of the United States of America that the

1 foregoing is true and correct. Executed on October 10, 2018 at

2 Hattingen, Germany.

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6 Christian B. Hicks  
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**CERTIFICATE OF SERVICE**

I certify that on October 12, 2018, I electronically transmitted the foregoing  
DECLARATION OF CHRISTIAN B. HICKS SUPPORTING ORACLE’S MOTION FOR  
PARTIAL SUMMARY JUDGMENT REGARDING CROSS-USE AND DERIVATIVE  
WORKS to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of  
Electronic Filing to all counsel in this matter; all counsel are CM/ECF registrants.

Dated: October 12, 2018

Morgan, Lewis & Bockius LLP

By: /s/ John A. Polito  
John A. Polito

Attorneys for Defendants and  
Counterclaimants Oracle America, Inc. and  
Oracle International Corp.